UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/836,924	04/17/2001	Salil Pradhan	10011962-1	9018

7590 10/17/2006

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80528-9599

EXAMINER	
CHOUDHURY, AZIZUL Q	
ART UNIT	**PAPER NUMBER**
2145	

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/836,924	PRADHAN ET AL.	
	Examiner	Art Unit	
	Azizul Choudhury	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 July 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

This office action is in response to the correspondence received on July 25, 2006.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bandera et al (US Pat No: 6,332,127), hereafter referred to as Bandera.

1. With regards to claim 1, Bandera teaches a system for creating a link between a physical location and its web page, comprising: a user interface that receives positional data related to a physical location of a receiver system (column 2, lines 39-49, Bandera); a virtual beacon comprising an electronic file containing positional data and a web address related to a physical location having a web page (column 4, lines 60-67, Bandera); an association module coupled to the user interface to create a link between the positional data related to the physical location of the receiver system and the virtual beacon comprising the electronic file containing the positional data and the web address related to the physical location having the web page such that the receiver system near the physical location having the webpage can receive the electronic file to access the web

page without browsing, wherein the virtual beacon is not a physical object (While Bandera's design may not disclose the use of an association module, it does make use of wireless connections and network connections (Figure 2 and column 10, lines 5-7, Bandera). Official notice is hereby taken that it would have been obvious to one skilled in the art to incorporate an association module to form a connection between two devices by which to transfer positional related data. In addition, Bandera's design teaches how positional related data is transferred from a host to a client based on the client device's submission; column 9, line 65 – column 10, line 14, Bandera).

2. With regards to claim 2, Bandera teaches the system wherein the positional data received is in the form of an address of the physical location and the user interface converts that into the positional data (column 7, lines 1-26, Bandera).

3. With regards to claim 3, Bandera teaches the system wherein the user interface also receives a range data that specifies access range from the physical location within which the receiver system can receive the electronic file (column 3, lines 30-33, Bandera).

4. With regards to claim 4, Bandera teaches the system that further comprises a wireless transceiver that sends the electronic file wirelessly to a remote server system, wherein the remote server system stores the electronic file and sends

the electronic file to the receiver system, wherein the system further comprises a web gateway that sends the electronic file to a remote server system via an external internet (Gateways are obvious to have in networks such as the Internet; column 10, lines 5-7 and Figure 2, Bandera).

5. With regards to claim 5, Bandera teaches the system wherein the user interface also receives a time data that indicates a range of times when the electronic file can be sent, and a tag data that indicates the name or label of the web address (column 3, lines 30-34 and column 7, lines 40-52, Bandera).

6. With regards to claim 6, Bandera teaches the system that is further comprising a positioning module that provides the positional data of the current position of the system (column 2, lines 39-47, Bandera).

7. With regards to claim 7, Bandera teaches a system for posting a web address of a web page associated with a physical location, comprising: a virtual link creator that creates a virtual beacon comprising an electronic file that contains positional data and a web address related to a physical location having a web page (Refer to the DEE and web server of Bandera's design, column 4, lines 60-67, Bandera); a virtual link server system that receives the virtual beacon comprising the electronic file and transmits the electronic file to any mobile receiver system at or near the physical location related to the virtual beacon position via a

communication network such that the web address of the physical location having the web page is virtually posted at the physical location having the web page via the virtual beacon without employing a physical object to host the web address (Figure 2 and column 6, line 41 – column 7, line 52, Bandera) (While Bandera's design does not specifically cite the virtual link server, it does make use of a server and the DEE (which is virtual) to formulate the results to transmit back to the client. Official notice is hereby taken that it would have been obvious to one skilled in the art to have a virtual link server system to provide a software by which to send the link information with to the client).

8. With regards to claim 8, Bandera teaches a system wherein the virtual link creator further comprises a user interface that receives user input of the positional data of the physical location, the web address of the web page, and other property data, wherein the electronic file also includes the other property data (column 8, lines 20-24, Bandera); an association module that creates the electronic file that includes the positional data and the web address (column 6, line 55 – column 7, line 26, Bandera).

9. With regards to claim 9, Bandera teaches a system wherein the virtual link creator further comprises a wireless transceiver that sends the electronic file to the virtual link server system (It's obvious that a wireless transceiver is present within a wireless design; Figure 2 and column 10, lines 5-7, Bandera); a web

gateway that sends the electronic file to the virtual link server system via an external Internet when the virtual link server system is also coupled to the external internet (Bandera's design allows for data to be transferred through networks such as the Internet, it is obvious to one skilled in the art that a gateway is used to transfer data through a network; Figure 2, Bandera); a positioning module that provides the positional data of the current position of the virtual link creator (column 7, lines 31-40, Bandera).

10. With regards to claims 10 and 18, Bandera teaches a system wherein the property data include a range data that specifies access range within which the receiver system can receive the electronic file when near the physical location (column 7, lines 31-40, Bandera), a time data that indicates a range of times when the electronic file can be sent (column 7, lines 40-52, Bandera), and a tag data that indicates the name or label of the web address (column 7, lines 55-67, Bandera).

11. With regards to claim 11, Bandera teaches a system wherein the virtual link server system only sends the electronic file to remote receiver systems that are at or near the physical location although the electronic file is not located adjacent to the physical location (column 7, lines 31-40, Bandera).

12. With regards to claim 12, Bandera teaches a system wherein the virtual link server system further comprises a store that stores the electronic file (column 4, lines 29-31, Bandera); an email server that sends the electronic file in email form; a web server that sends the electronic file in web page form; a gateway that interfaces with the external communication network to receive the electronic file, and interfaces with other communication networks to send the electronic file in the email or web page form (Bandera's design allows for the transfer of data between the mobile client and the host to occur through the Internet (Figure 2, Bandera). It is therefore obvious that any Internet compliant protocol (email, http, etc) is applicable and that gateways are applied).

13. With regards to claim 13, Bandera teaches the system wherein the virtual link server system further comprises a filtering module that receives, from the requesting receiver system, the positional data of the current position of the receiver system and a request for any electronic file.with a positional data indicating a position at or near the current position of the receiver system, wherein the filtering module then causes all electronic files stored in the store with the positional data indicating a position at or near the current position of the receiver system to be sent via one of the email server and the web server to the requesting receiver system based on the range data of the respective electronic files (column 7, lines 31-40, Bandera).

14. With regards to claims 14 and 20, Bandera teaches the system wherein the filtering module does not cause any electronic file stored in the store with the positional data indicating a position not at or near the current position of the receiver system to be sent to the receiver system (column 7, lines 31-40, Bandera).

15. With regards to claim 15, Bandera teaches a web navigation system, comprising: a virtual link creator that creates a virtual beacon comprising an electronic file that contains positional data and a web address related to a physical location having a web page associated therewith (column 4, lines 60-67, Bandera); a virtual link server system that receives the virtual beacon comprising the electronic file, wherein the server system can transmit the virtual beacon comprising electronic file via a communication network (column 9, line 65 – column 10, line 13, Bandera) (While Bandera's design does not specifically cite the virtual link server, it does make use of a server and the DEE (which is virtual) to formulate the results to transmit back to the client. Official notice is hereby taken that it would have been obvious to one skilled in the art to have a virtual link server system to provide a software by which to send the link information with to the client); a receiver system having position data capabilities related to a current physical location of said receiver system, said receiver system capable of communicating with the server system and external internet (Figure 2, Bandera), said receiver system providing the position data to said server system and

receiving the virtual beacon comprising the electronic file from the server system, said server system monitoring the position data from said receiver system and providing a virtual beacon comprising the electronic file and the web address when the receiver system is near the physical location such that the web address of the web page is virtually posted at the physical location without employing a physical object to host the web address at the physical location (column 7, lines 9-40, Bandera).

16. With regards to claim 16, Bandera teaches the system wherein the virtual link server system sends the electronic file to the receiver system when the receiver system informs the virtual link server system of its current position and when the virtual link server system determines that the receiver system is at or near the physical location by comparing the positional data of the current position of the receiver system with the positional data in the electronic file (column 7, lines 31-40 and column 7, line 55 – column 8, line 51, Bandera).

17. With regards to claim 17, Bandera teaches the system wherein the virtual link creator further comprises a user interface that receives user input of the positional data of the physical location, the web address of the web page, and other property data, wherein the electronic file also includes the other property data (column 2, lines 36-53 and column 6, lines 54-67, Bandera); an association module that creates the electronic file that includes the positional data and the

web address (column 9, line 65 – column 10, line 14, Bandera); a wireless transceiver that sends the electronic file to the virtual link server system; a web gateway that sends the electronic file to the virtual link server system via an external internet when the virtual link server system is also coupled to the external internet; a positioning module that provides the positional data of the current position of the virtual link creator (Gateways are obvious to have in networks such as the Internet; column 10, lines 5-7 and Figure 2, Bandera).

18. With regards to claim 19, Bandera teaches the system wherein the virtual link server system further comprises a store that stores the electronic file (column 4, lines 29-31, Bandera); an email server that sends the electronic file in email form; a web server that sends the electronic file in web page form; a gateway that interfaces with the external communication network to receive the electronic file from the virtual link creator, and interfaces with other communication networks to send the electronic file in the email or web page form to the receiver system (Bandera's design allows for the transfer of data between the mobile client and the host to occur through the Internet (Figure 2, Bandera). It is therefore obvious that any Internet compliant protocol (email, http, etc) is applicable and that gateways are applied); a filtering module that receives, from the requesting receiver system, the positional data of the current position of the receiver system and a request for any electronic file with a positional data indicating a position at or near the current position of the receiver system, wherein the filtering module

then causes all electronic files stored in the store with the positional data indicating a position at or near the current position of the receiver system to be sent via one of the email server and the web server to the requesting receiver system based on the range data of the respective electronic files (column 7, lines 31-40, Bandera).

19. With regards to claim 21, Bandera teaches the system wherein the receiver system further comprises a positioning module that determines the current position of the receiver system (column 8, lines 20-24, Bandera); a wireless transceiver that sends a request for the electronic file to the virtual link server system, wherein the request includes the positional data of the current position of the receiver system, wherein the transceiver also receives the electronic file from the virtual link server system (column 10, lines 5-7, Bandera); a virtual link projector that displays the names of the web addresses contained in all electronic files received from the virtual link server system; a web access module that uses a selected web address to access the corresponding web page via the external internet (column 8, line 63 – column 9, line 46, Bandera).

20. With regards to claim 22, Bandera teaches the system wherein the receiver system further comprises an orientation module that determines the orientation of the receiver system, wherein the positional data of the current position of the receiver system includes the orientation of the receiver system (column 8, lines

20-24, Bandera); a user interface that allows the receiver system to receive user input of (1) the positional data of the receiver system and (2) an access range data that specifies an access range of the receiver system in receiving electronic files (column 2, lines 35-53, Bandera).

21. With regards to claim 23, Bandera teaches the system wherein the virtual link projector further comprises a display that displays the names of the web addresses in all electronic files received by the receiver system (Figures 1 and 4, Bandera); a digital horizon module that specifies the access range of the receiver system in receiving the electronic files (column 7, lines 31-40, Bandera); a vectoring filter that uses the orientation from the orientation module to filter out electronic files within the access range but not in the direction pointed by the receiver system (column 6, line 55 – column 7, line 40, Bandera).

Response to Remarks

The amendment received on July 25, 2006 has been carefully examined but is not deemed fully persuasive. Within the amendment, the applicant remarks upon two principle concerns. The following are the examiner's responses to those concerns.

The first point of contention remarked upon by the applicant concerns the claimed "virtual beacon." The applicant is uncertain as to how the Bandera prior art teaches a "virtual beacon." Page 10 of the specifications states that the "virtual beacon" is essentially a location-based electronic file. In addition, the claim language (claim 1)

states that a "virtual beacon" comprises an electronic file with positional data and a web address. The DEE within Bandera's design is used by the web server to create web pages (column 4, lines 60-67, Bandera). The DEE selects the web page content objects to be viewed on a web page and the content to be viewed is based on positional information (column 2, lines 35-53, Bandera). Hence, the DEE is an application/program/software (i.e. electronic file) that uses location information to create a web page that can include web addresses (column 5, lines 1-8, Bandera).

The second point of contention remarked upon by the applicant concerns the claim language linking a location to a web page. The applicant contends that by such language, the claimed invention does not require the web page to be dynamically built or modified. This is an incorrect assertion. Neither the claims nor the specifications define the web page as being static websites. Hence, the use of dynamic websites is acceptable within the claimed design.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

JASON CARDONE
SUPERVISORY PATENT EXAMINER